



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB5042

by Rep. William B. Black

SYNOPSIS AS INTRODUCED:

820 ILCS 405/603

from Ch. 48, par. 433

Amends the Unemployment Insurance Act. Provides that if, after a layoff, an employer notifies an individual by letter of the employer's recall of the individual for suitable work, and the employee fails to respond within a reasonable time to the recall notice, the individual shall be deemed to have failed, without good cause, to have accepted suitable work for purposes of this Section. Provides that the fact that an individual did not receive the recall letter because the individual changed his or her address is not a defense if the individual did not notify the employer of the address change. Effective immediately.

LRB095 15836 WGH 45465 b

1 AN ACT concerning employment.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Unemployment Insurance Act is amended by
5 changing Section 603 as follows:

6 (820 ILCS 405/603) (from Ch. 48, par. 433)

7 Sec. 603. Refusal of work. An individual shall be
8 ineligible for benefits if he has failed, without good cause,
9 either to apply for available, suitable work when so directed
10 by the employment office or the Director, or to accept suitable
11 work when offered him by the employment office or an employing
12 unit, or to return to his customary self-employment (if any)
13 when so directed by the employment office or the Director. Such
14 ineligibility shall continue for the week in which such failure
15 occurred and, thereafter, until he has become reemployed and
16 has had earnings equal to or in excess of his current weekly
17 benefit amount in each of four calendar weeks which are either
18 for services in employment, or have been or will be reported
19 pursuant to the provisions of the Federal Insurance
20 Contributions Act by each employing unit for which such
21 services are performed and which submits a statement certifying
22 to that fact.

23 If, after a layoff, an employer notifies an individual by

1 letter of the employer's recall of the individual for suitable
2 work, and the employee fails to respond within a reasonable
3 time to the recall notice, the individual shall be deemed to
4 have failed, without good cause, to have accepted suitable work
5 for purposes of this Section. The fact that an individual did
6 not receive the recall letter because the individual changed
7 his or her address is not a defense if the individual did not
8 notify the employer of the address change.

9 In determining whether or not any work is suitable for an
10 individual, consideration shall be given to the degree of risk
11 involved to his health, safety, and morals, his physical
12 fitness and prior training, his experience and prior earnings,
13 his length of unemployment and prospects for securing local
14 work in his customary occupation, and the distance of the
15 available work from his residence.

16 Notwithstanding any other provisions of this Act, no work
17 shall be deemed suitable and benefits shall not be denied under
18 this Act to any otherwise eligible individual for refusing to
19 accept new work under any of the following conditions:

20 If the position offered is vacant due directly to a strike,
21 lockout, or other labor dispute; if the wages, hours, or other
22 conditions of the work offered are substantially less favorable
23 to the individual than those prevailing for similar work in the
24 locality; if, as a condition of being employed, the individual
25 would be required to join a company union or to resign from or
26 refrain from joining any bona fide labor organization; if the

1 position offered is a transfer to other work offered to the
2 individual by the employing unit under the terms of a
3 collective bargaining agreement or pursuant to an established
4 employer plan, program, or policy, when the acceptance of such
5 other work by the individual would require the separation from
6 that work of another individual currently performing it.

7 (Source: P.A. 82-22.)

8 Section 99. Effective date. This Act takes effect upon
9 becoming law.